

ALFREDA BRONCHO DENNY and  
HELEN HATT,  
Appellants

v.

PORTLAND AREA DIRECTOR,  
BUREAU OF INDIAN AFFAIRS,  
Appellee

: Order Docketing and Dismissing  
: Appeal as Premature  
:  
:  
: Docket No. IBIA 98-52-A  
:  
:  
: January 29, 1998

On January 26, 1998, the Board of Indian Appeals received a notice of appeal from Alfreda Broncho Denny and Helen Hatt, through their representative, Ernestine Broncho Werelus. 1/ Appellants state that they seek review, under 25 C.F.R. § 2.8, of the failure of the Portland Area Director, Bureau of Indian Affairs, to act upon an appeal they filed with him. In their appeal to the Area Director, Appellants sought review of the failure of the Superintendent, Fort Hall Agency, BIA, to act upon a request to him concerning Fort Hall Lease No. 89-136.

It is apparent that this appeal must be dismissed as premature. Appellants' notice of appeal to the Area Director is dated October 28, 1997. Under the timeframes established in 25 C.F.R. Part 2, the Area Director has at least until early March 1998 (assuming no extensions of time have been granted) in which to issue a decision in Appellants' appeal to him.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is docketed but is dismissed as premature.

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Anita Vogt  
Administrative Judge

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Kathryn A. Lynn  
Chief Administrative Judge

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1/ For purposes of this decision, the Board assumes that Ms. Werelus is qualified under 43 C.F.R. § 1.3 to represent these Appellants.